

## REMARKS

Upon entry of the amendments, claims 9-18 and 21-25 will be pending in the application. Applicants request reconsideration of the Office Action based upon the following comments.

### ***Claim Objections***

Applicants have requested that claims 22, 23, and 25 be placed into independent form. Applicants respectfully submit that the claims are no longer in improper dependant form. Furthermore, Applicants note that the limitation set in claim 25 regarding rotation provides details regarding the apparatus and should be given patentable weight.

### ***Claim Rejections – 35 U.S.C. § 102***

Claims 9-13, 15, 16, 18, 21, and 24 are rejected as anticipated by Thompson (US 5,022,419).

Regarding independent claim 10, Applicants respectfully submit that Thompson fails to inherently or explicitly disclose that the “nozzle is formed so as to eject the processing liquid against each processing surface of the substrates so that a width of the plane-ejected processing liquid is generally equal to the diameter of the substrate on the processing surface”. This is not a functional limitation as set forth in the Office Action. Rather, it is a limitation regarding the structure of the nozzle. The nozzle must have a certain structure to eject the processing liquid as set forth in the claim.

The fan shaped nozzles of Thompson would not inherently or explicitly disclose the required formation or structure of the claimed nozzle.

Further, the fan shaped nozzle of Thompson would not be able to eject processing liquid in the form of a plane that is parallel with the substrates. As set forth in col. 6, line 13 of Thompson and Figure 3, only 8 nozzles are arranged along manifold 28. The rotor can generally hold 25 wafers. Therefore, the nozzles in Thompson have to cover more than one wafer at the same time. Accordingly, the nozzles in Thompson are formed so as to eject the processing liquid in a plane that is not parallel with the wafers.

In addition, Thompson does not disclose a nozzle formed so as to eject liquid against each processing surface of the rotating circular substrates so that a width of the plane ejected processing liquid is generally equal to the diameter of the substrate.

Regarding claim 11, Applicants respectfully submit that the cited prior art does not show nozzles that are inclined upon reviewing the Examiner's reference to Figure 4 of Thompson.

Regarding claim 18, Applicants respectfully submit that Thompson fails to inherently or explicitly disclose "an ejecting orifice formed on an inner face of the processing container so as to face the circular plate, for supplying a processing liquid to the circular plate's surface facing the inner surface of the processing container." This configuration allows cleaning and drying of the outside of the circular plate to keep the inner space of the processing container clean. It is noted that the Examiner disagrees, however, further clarification would be appreciated. The basis of the rejection is unclear without further clarification of the alleged ejecting orifice in figures 1-4 of Thompson.

Regarding claim 21, Thompson fails to disclose "the ejecting orifices are located relative to the position of the substrates so that in plan view the ejecting orifices do not overlap with the substrates".

Regarding claim 24, Thompson fails to disclose “wherein the ejecting orifices are located so that the processing liquid is ejected against each processing surface of the rotating substrates in such a way that a width of the plane-ejected processing liquid is generally equal to a radius of the circular substrate, on the processing surface”.

Due to the foregoing, Applicants respectfully submit that the anticipation rejection based on Thompson should be withdrawn.

***Claim Rejections – 35 U.S.C. § 103***

Claim 14 is rejected as obvious in view of Thompson and Thoms (US 5,378,308).

Applicants have carefully considered this rejection, but respectfully request that it be withdrawn. Claim 14 depends from claim 10, which is not anticipated or obvious in view of Thompson. Consideration of Thoms fails to alleviate the failings of Thompson in regards of claim 14.

Claim 17 is rejected as obvious in view of Thompson. Claim 17 depends from claim 10. As discussed above, Thompson fails to teach all the features of independent claim 10 so dependant claim 17 can not properly be considered obvious. Applicants request that this rejection be withdrawn.

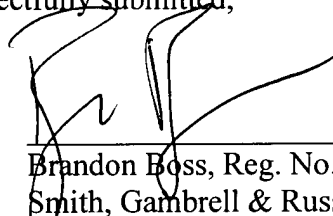
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Applicants respectfully assert that the application should be allowed. If any additional fees are due in connection with the filing of this response, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to Deposit Account No. 02-4300. Any overpayment can be credited to Deposit Account No. 02-4300.

Respectfully submitted,

Date: October 23, 2003

Signature:

A handwritten signature in black ink, appearing to be 'Brandon Boss', written over a horizontal line.

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\* Practice is limited to matters and proceeding before federal courts and agencies.